

## CITY OF NEWTON, MASSACHUSETTS

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## **ZONING BOARD OF APPEALS**

Sherri Lougee, Board Secretary

## NOTICE OF DECISION

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

**#7-07** from Cecilia Dunn and Lee Campbell, 140 Sumner Street, Newton, MA, requesting variances of 2.7 feet and 2.9 feet, respectively, from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, in order to construct a 2 car garage, resulting in side yard setbacks of 4.8 feet and 4.6 feet, respectively. (Required side yard setback for old lots created before December 7, 1953 is 7.5 feet.) The petitioners' request for a variance from the side yard setback requirements was granted, subject to conditions, 4-0. Petitioners also request variances of 7.4 feet and 6.0 feet, respectively, from the front yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct the same 2-car garage, resulting in front setbacks of 17.6 feet and 19.0 feet, respectively. (Required front yard setback for old lots created before December 7, 1953 is 25 feet.) The property is located in a Single Residence 2 district. The petitioners' request for a variance from the front yard setback requirements was denied, 4-0.

#8-07 from Thomas H. and Xiaoning W. Crowley, 888 Beacon Street, Newton, MA, requesting an amendment to condition #3 of variance #5-76 regarding parking requirements for the property. In addition, petitioners seek a 4.5-foot variance from the front yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, in order to construct a new two-car garage, resulting in a front yard setback of 20.5 feet. (Required front yard setback for old lots created before December 7, 1953 is 25 feet.) The petitioners' request for a variance from the front yard setback requirements was granted, subject to conditions, 4-1. Petitioners also request a variance of 9.6 feet from the rear yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct the same 2 car garage, resulting in a rear yard setback of 5.4 feet. Petitioners also request a variance of 8.4 feet from the rear yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct an entry platform, resulting in a rear yard setback of 6.6 feet. (Required rear yard setback for old lots created before December 7, 1953 is 15 feet.) The property is located in a Single Residence 2 district. The petitioners' request for a variance from the rear yard setback requirements was granted, subject to conditions, 4-1.

#9-07 from Maurice Weinrobe and Trudy Ernst, 162 Waban Avenue, Newton, MA, requesting a variance of 3.7 feet from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15 (m) to replace a pre-existing non-conforming one car garage with a new two car garage, resulting in a side yard setback of 1.3 feet. (Required side yard setback for an accessory building is 5 feet.) The petitioners' request for a variance from the side yard setback requirements was granted, subject to conditions, 4-0. Petitioners also request a variance of 1.8 feet from the rear yard setback requirements of the Newton Revised Zoning Ordinances, 30-15 (m) in order to construct the same 2-car garage, resulting in a rear yard setback of 3.2 feet. (Required rear yard setback for an accessory building is 5 feet.) The property is located in a Single Residence 2 district. The petitioners' request for a variance from the rear yard setback requirements was granted, subject to conditions, 4-0.

Any appeal of the above decision must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision numbers 6-07, 7-07, 8-07 and 9-07 were filed on August 2, 2007.